

Box PCT \$

414 Rec'd PCT/PTO 04 OCT 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: AARONS et al.

Serial No.: 09/423,484  
(PCT/GB98/01155)

Filed: 11/08/99  
(I.A. 05/07/98)

Title: GAS DISCHARGE LAMP DRIVEN CIRCUITRY

Docket No.: P9153



RENEWED PETITION UNDER 37 CFR 1.47 (a)

RECEIVED

18 OCT 2000

Legal Staff  
International Division

Attention: PCT Legal Office, Mr. Richard Ross:

Sir:

Applicant herewith a Renewed Petition under 37 CFR 1.47(a), requesting that the above application be accepted without the signature of the non-signing inventor. In response to the Decision mailed 29 June 2000, dismissing Applicant's original petition without prejudice, enclosed herewith are the following:

1. Petition under 37 CFR 1.136(a) for one-month extension of time for responding to The Decision.
2. Check #3269 in amount of \$110.00 in payment of the one-month extension fee for (1).
3. Response to the Decision dismissing the original Petition.

10/16/2000 MBIZUNES 00000040 09423484 4 Statement of Facts in Support of Filing on Behalf of Nonsigning Inventor (37 CFR 1.47(a))  
01 FC:115 1.47(a) \$110.00 OP

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5. Executed Combined Declaration and Power of Attorney, plus Added Page and Petition for Signature By Joint Inventors On Behalf Of Non-Signing Inventors Who Refuse To Sign Or Cannot Be Reached (37 CFR 1.47 (a)).
6. Executed Verified Statement Claiming Small Entity Status-Independent Inventor.

It is believed that no other fee is due at this time to maintain this application in full force and effect, however, if any such fee is due, please charge it to Deposit Account No.08-1254.

Signed at Bellingham, County of Whatcom, State of Washington, this 29<sup>th</sup> day of September 2000.

Respectfully submitted,

DAVID JOHN AARONS

By:

Todd N. Hathaway, Reg. No. 32,991  
119 N. Commercial St. #620  
Bellingham, WA 98225  
(360) 647-1976

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date shown below.

29/Sept/2000  
Date

Marilee Wolten  
(Print name of person mailing paper)  
Marilee Wolten  
(Signature of person mailing paper)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: AARONS ET AL. )  
                              )  
Serial No.: 09/423,484      )  
                              (PCT/GB98/01155      ) Docket No. P9153  
                              )  
Filing Date: 11/08/99      )  
                              (I.A. 05/07/98      )  
For: GAS DISCHARGE LAMP DRIVE )  
                              CIRCUITRY      )

**RESPONSE TO DECISION ON PETITION UNDER 37 CFR 1.47(a)**

Commissioner of Patents and Trademarks  
U.S. Patent and Trademark Office  
Washington, D.C. 20231

Sir:

This is in response to the Decision on Petition under 37 CFR 1.47(a) mailed 29 June 2000, in which Applicant's Petition submitted 14 April 2000 was dismissed without prejudice. Applicant's Petition was for acceptance of the above-identified application without the signature of co-inventor John Mullenger, on grounds that Mr. Mullenger has refused to sign the application papers.

In the Decision, it was stated that a Petition under 37 CFR 1.47(a) must be accompanied by: (1) the fee under 37 CFR 1.17(i); (2) a statement of the last known address of the non-signing inventor; (3) an oath or declaration by the other inventor on behalf of himself and the non-signing inventor; and (4) factual proof that the inventor refuses to execute the application papers or cannot be reached after diligent effort. In the Decision, it was stated that Applicant's original petition satisfied items (1) and (2), but failed to satisfy items (3) and (4). For the reasons explained below, Applicant respectfully submits that items (1) - (4) are satisfied by the Renewed Petition that is submitted herewith.

With regard to items (1) and (2) above, Applicant's original petition filed 14 April 2000 included payment of the \$130 petition fee required under 37 CFR 1.17(i).

Regarding item (2), the “Added Page to Combine Declaration and Power of Attorney for Signature for Joint Inventor(s) on Behalf of Non-signing Inventor(s) who Refuse(s) to sign or can not be reached (37 CFR 1.147(a))” sets forth the last known address of the non-signing inventor, Mr. Mullenger, i.e., Green Farm, Wickham Skeith, Suffolk, UK IP23 8LX. With regard items (3) and (4), these will be addressed under separate subheadings below.

Item (3) - Declaration

In the Decision, it was stated that the declaration did not satisfy the requirements of 37 CFR 1.497(a) and (b). Specifically, it was stated that the declaration was unclear in that it identified two separate applications as the specification to which it applied, namely, the international application (PCT/GB98/01155) and the priority application (GB9709075.7).

In response, Applicant submits herewith a corrected declaration that identifies only one application as the specification to which it applies, i.e., the international application (PCT/GB98/01155). It is therefore respectfully submitted that the corrected declaration satisfies the requirements of 37 CFR 1.497(a) and (b).

Item (4) – Factual Proof

In the Decision it was stated that the Statements of Fact did not provide sufficient, first-hand evidence that “a copy of the application papers (specification, including claims, drawings, and oath or declaration)” was mailed to the non-signing inventor for his signature. Furthermore, first-hand statements from Mr. Leslie Aarons and Mr. Robert McLean were required, on grounds that Leslie Aarons was the individual who actually mailed the documents to Mr. Mullenger, and the express refusal involved a telephone conversation between the Mr. Mullenger and Mr. McLean.

Accordingly, Applicant submits herewith first-hand statements of Leslie Aarons and Robert McLean, as required in the Decision. The Affidavit of Leslie Aarons states that he is the person who mailed the application papers to non-signing inventor (John Mullenger), and that the application papers included the declaration and the small entity statement, and the specification, claims and drawings for the application. The Affidavit

of Leslie Aarons also states that John Mullenger expressed his refusal to sign the application papers in a letter that Mr. Mullenger sent to him, dated 31 January 2000. The Affidavit of Robert McLean states that Mr. Mullenger expressed his refusal to sign the application papers in a telephone conversation with Mr. McLean on 26 January 2000.

The attached Affidavits therefore clearly state that (1) a copy of the application papers and specification, including claims, drawings, and oath or declaration, was mailed to the non-signing inventor for his signature, and (2) the non-signing inventor made an express refusal to sign the papers, and these statements are made by persons having first-hand knowledge of the facts, namely Mr. Robert McLean and Mr. Leslie Aarons.

### Summary

For the reasons discussed above, it is respectfully submitted that the Renewed Petition satisfies all four requirements under 37 CFR 1.47(a). Applicant therefore respectfully requests that the Petition be granted, and that the present application be accepted without the signature of the non-signing inventor. If there are any additional matters which can be expedited by a telephone conference with Applicant's Attorney this would be welcome.

Signed at Bellingham, County of Whatcom, State of Washington this 29<sup>th</sup> day of September 2000.

Respectfully submitted,

AARONS ET AL.

By:

Todd N. Hathaway, Reg. No. 32,991  
119 N. Commercial St., #620  
Bellingham, WA 98225-4437  
Phone: 360/647-1976

### CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date shown below.

29 Sept. 2000  
Date

Marilee S. Wotten  
(Print name of person mailing paper)  
Marilee S. Wotten  
(Signature of person mailing paper)

STATEMENT OF FACTS  
IN SUPPORT OF FILING  
UNDER 37 CFR 1.47 (a)

THE PATENT ACT 1952  
37 CODE OF FEDERAL REGULATIONS Part 1

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No CT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

AFFIDAVIT OF LESLIE DAVID AARONS

I, LESLIE DAVID AARONS, a British Citizen, of Suffolk, United Kingdom, MAKE OATH AND SAY as follows:

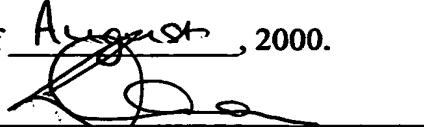
1. I am the person who mailed the application papers for the above-identified U.S. patent application, together with a copy of the application itself, to John Mullenger, which John Mullenger has subsequently refused to sign.
2. I am a Director and Company Secretary of EnLight Technologies, Ltd., a company incorporated under the laws of England and Wales and registered under No. 3577921, of Manor Farm, Home Farm Road, Ellingham Bungay, Suffolk, NR35 2EL, United Kingdom. I have full access to the records of EnLight Technologies Ltd., and am authorized to make this Affidavit on the company's behalf. Information given in this, my Affidavit, comes from my own knowledge and from the aforesaid records of the company, and I believe it to be true.
3. I am the father of David John Aarons, who is the co-inventor with John Mullenger of the invention in the US patent application identified above. David Aarons is also Managing Director of EnLight Technologies, Ltd.
4. A principal purpose of EnLight Technologies, Ltd. is the exploitation of the technology that is the subject of the aforesaid patent application. Hence, in my capacity as Director and Company Secretary, I have been closely involved in the process of obtaining patent protection for the technology. In particular, I have worked closely with Robert A. McLean of Dummett Copp, a UK chartered patent attorney, first in filing the UK patent application and then in filing the

corresponding international patent application and US patent application identified above.

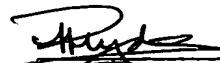
5. Robert McLean provided David Aarons and myself with a copy of the US patent application and the application papers, and explained the reasons that the papers needed to be signed by all inventors. Robert McLean therefore asked us to coordinate with John Mullenger to obtain his signature on the papers as well as David's. Exhibit 1 now produced and shown to me is a copy of a letter that in my capacity as Company Secretary mailed to John Mullenger on 10 January 2000, which included a copy of the application and the documents to be signed by John Mullenger.
6. Exhibit 2 and Exhibit 3 now produced and shown to me are, respectively, copies of a Combined Declaration and Power of Attorney, and a Verified Statement Claiming Small Entity Status, both of which were enclosed with the aforementioned letter of 10 January 2000 for signature and dating by Mr. Mullenger, along with a copy of the specification, claims and drawings for the application.
7. On 20 January 2000, in my capacity as Company Secretary telephoned John Mullenger from the offices of EnLight Technologies Limited to ask if he had completed the aforementioned forms. John Mullenger told me that he had received the materials but had not signed the documents because he did not understand why his signature was needed at this stage. I suggested to John Mullenger that the patent attorney acting for us, Robert McLean, write with an explanation of why these forms had to be completed.
8. Exhibit 4 now produced and shown to me is a copy of a letter to John Mullenger dated 24 January 2000, written by Robert McLean, which explains why it is necessary for John Mullenger to sign and date the aforementioned forms.
9. On 26 January 2000, John Mullenger telephoned Robert McLean at the offices of Dummett Copp, and in this telephone conversation John Mullenger refused to sign the aforementioned documents.
10. Exhibit 5 now produced and shown to me is a copy of a letter sent by John Mullenger to myself, Leslie Aarons. The letter is dated 31 January 2000, and in the letter John Mullenger confirms that he will not sign the aforementioned forms. A corresponding letter, having the same date, was sent to Robert McLean. In neither letter does John Mullenger give any real reason for his refusal to sign the aforementioned forms.

11. I have received no communication from John Mullengr that would indicate that he has withdrawn his refusal to sign the application paper. It is therefore my understanding that his refusal to sign the papers continues as of the date of this statement.

Signed at Norwich, this 24<sup>th</sup> day of August, 2000.  
England

  
LESLIE DAVID AARONS  
Co-Inventor 

Sworn to and subscribed in my presence this 24 day of August, 2000.

 Philip Hyde

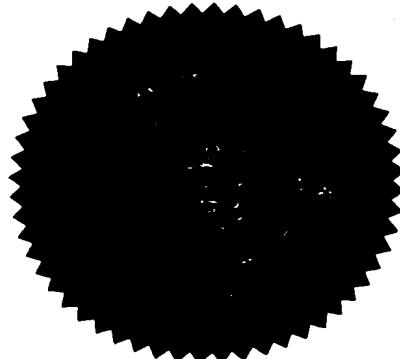
Notary Public in and for

the

Residing at Norwich England

My Commission Expires:

with life



IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 1  
REFERRED TO IN THE AFFIDAVIT OF  
LESLIE DAVID AARONS

Dated the 24<sup>th</sup> day of August 2000

Before me,

 Philip Hyde

Commissioner for Oaths/Solicitor and Notary Public

10<sup>th</sup> January 2000

J Mullenger  
Green Farm  
Wickham Skeith  
Suffolk  
IP23 8LX

RECEIVED  
11 JAN 2000

Dummett Copp

**EnLight Technologies Limited**

Manor Farm  
Home Farm Road  
Ellingham  
Bungay  
Suffolk  
NR35 2EL  
United Kingdom

Tel: +44 (0) 1508 518112  
Fax: +44 (0) 1508 518113  
email: sales@enlight.co.uk

Copy for file

Dear John

**Fluorescent Tube Ballast**

We are continuing to work hard on commercialising the fluorescent tube ballast invention that you contributed to as an inventor back in 1995. As you may recall, we filed first a British patent application, and then after further development of the invention by David an International patent application. The International patent application has recently been "converted" into a number of National patent applications, which we hope will ultimately lead to granted patents in Europe, the USA, Australia, Canada, China, Indonesia, Japan and Russia. Each of these regions or countries has its own particular requirements regarding inventorship or ownership of patents. For just three of these countries we need to have you sign documents which state that you are one of the inventors or to confirm that David Aarons is the applicant. They are namely the USA, Indonesia and Canada.

You will, of course, remember the Deed of Assignment document that you signed back in July 1996 (copy enclosed). Although this formalised the transfer of this invention to David, one of the standard clauses in this agreement (see the paragraph spanning pages 1 and 2) was that you should sign any documents required to vest ownership of the invention in the name of David Aarons. I am afraid that I now have to bother you to sign and date a number of these Documents!

/cont...



London International Invention of the Year Award Winners 1997/98  
International Environmental Invention Award Gold Medal Winners  
Design Council Millennium Products Award Winners  
EDP Business Awards Winners 1998

Registered in England No. 3577921  
Registered Office: Holland Court,  
The Close, Norwich,  
Norfolk, NR1 4DY.

VAT Registration  
No. 720 1827 67

I have marked these documents with tabs and in pencil where you need to sign and date the various forms. For your convenience, I enclose a stamped addressed envelope in which you can return these to me. I am sorry to have to trouble you with this at this particular time, but trust you will find time to complete these documents and return them without delay. Thank you very much.

Wishing you and your family every good wish for the New Year

Kind regards



Les Aarons

Encs: Document - USA  
Document - Indonesia  
Document - Canada  
Copy of Deed of Assignment

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 2  
REFERRED TO IN THE AFFIDAVIT OF  
LESLIE DAVID AARONS

Dated the 24<sup>th</sup> day of August 2000

Before me,

Philip Hyde

  
Commissioner for Oaths/Solicitor and Notary Public

---

**COMBINED DECLARATION AND POWER OF ATTORNEY**  
(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)

---

As a below named Inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

(check one applicable item below)

- original.
- design.
- supplemental.

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application, do not check next item; check appropriate one of last three items.

- national stage of PCT.

NOTE: If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR C-I-P.

NOTE: See 37 C.F.R. § 1.63(d) (continued prosecution application) for use of a prior nonprovisional application disclosure in the continuation or divisional application being filed on behalf of the same or lawer of the inventors named in the prior application.

- divisional.
- continuation.

NOTE: Where an application discloses and claims subject matter not disclosed in the prior application, or a continuation or divisional application names an Inventor not named in the prior application, a continuation-in-part application must be filed under 37 C.F.R. § 1.53(b) (application filing requirements — nonprovisional application).

- continuation-in-part (C-I-P).

**INVENTORSHIP IDENTIFICATION**

WARNING: If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole Inventor (if only one name is listed below) or an original, first and joint Inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

**GAS DISCHARGE LAMP DRIVE CIRCUITRY**

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## SPECIFICATION IDENTIFICATION

the specification of which:

(complete (a), (b), or (c))

- (a)  is attached hereto.

NOTE: "The following combinations of information supplied in an oath or declaration filed on the application filing date with a specification are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 CFR 1.63:

"(1) name of inventor(s), and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration on filing;

"(2) name of inventor(s), and attorney docket number which was on the specification as filed; or

"(3) name of inventor(s), and title which was on the specification as filed."

Notice of July 13, 1995 (1177 O.G. 60).

- (b)  was filed on May 7, 1997, as  Serial No. 0 GB 9709075-7 or  \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO that contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

NOTE: "The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 CFR 1.63:

"(1) name of inventor(s), and application number (consisting of the series code and the serial number, e.g., 08/123,456);

"(2) name of inventor(s), serial number and filing date;

"(3) name of inventor(s) and attorney docket number which was on the specification as filed;

"(4) name of inventor(s), title which was on the specification as filed and filing date;

"(5) name of inventor(s), title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or

"(6) name of inventor(s), title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) intended by signing the oath or declaration."

Notice of July 13, 1995 (1177 O.G. 60), M.P.E.P. § 601.01(a), 6th ed., rev. 3.

- (c)  was described and claimed in PCT International Application No. PCT/GB98/01155, filed on May 7, 1998 and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

**SUPPLEMENTAL DECLARATION (37 C.F.R. § 1.67(b))**

(complete the following where a supplemental declaration is being submitted)

- I hereby declare that the subject matter of the  
 attached amendment  
 amendment filed on \_\_\_\_\_

was part of my/our invention and was invented before the filing date of the original application, above-identified, for such invention.

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56.

(also check the following items, if desired)

- and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and  
 In compliance with this duty, there is attached an information disclosure statement, in accordance with 37 CFR 1.98.

**PRIORITY CLAIM (35 U.S.C. §§ 119(a)-(d))**

**NOTE:** "The claim to priority need be in no special form and may be made by the attorney or agent if the foreign application is referred to in the oath or declaration as required by § 1.63. The claim for priority and the certified copy of the foreign application specified in 35 U.S.C. 119(b) must be filed in the case of an interference (§ 1.630), when necessary to overcome the date of a reference relied upon by the examiner, when specifically required by the examiner, and in all other situations, before the patent is granted. If the claim for priority or the certified copy of the foreign application is filed after the date of issue fee is paid, it must be accompanied by a petition requesting entry and by the fee set forth in § 1.17(f). If the certified copy is not in the English language, a translation need not be filed except in the case of interference; or when necessary to overcome the date of a reference relied upon by the examiner; or when specifically required by the examiner, in which event an English language translation must be filed together with a statement that the translation of the certified copy is accurate." 37 C.F.R. § 1.55(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §§ 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or Inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d)  no such applications have been filed.  
(e)  such applications have been filed as follows.

**NOTE:** When item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION  
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)**

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 111
PCT	PCT/GB98/01155	May 7/98	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)  
(34 U.S.C. § 119(e))**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

**PROVISIONAL APPLICATION NUMBER**

**FILING DATE**

\_\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_\_ / \_\_\_\_\_

\_\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_\_ / \_\_\_\_\_

**CLAIM FOR BENEFIT OF EARLIER US/PCT APPLICATION(S)  
UNDER 35 U.S.C. 120**

- The claim for the benefit of any such applications are set forth in the attached ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART (C-I-P) APPLICATION.

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

---

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**NOTE:** If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. § 120.

**POWER OF ATTORNEY**

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

*(list name and registration number)*

**TODD N. HATHAWAY, Reg. No. 32,991**

*(check the following item, if applicable)*

- I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.
- Attached, as part of this declaration and power of attorney, is the authorization of the above-named practitioner(s) to accept and follow instructions from my representative(s).

---

**SEND CORRESPONDENCE TO**

**DIRECT TELEPHONE CALLS TO:**  
*(Name and telephone number)*

**Address**

**TODD N. HATHAWAY**  
119 N. Commercial St. #620  
Bellingham, WA 98226-4437

**TODD N. HATHAWAY**  
360-647-1976

**Customer Number** \_\_\_\_\_

---

## DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SIGNATURE(S)

NOTE: Carefully indicate the family (or last) name, as it should appear on the filing receipt and all other documents.

NOTE: Each inventor must be identified by full name, including the family name, and at least one given name without abbreviation together with any other given name or initial, and by his/her residence, post office address and country of citizenship. 37 CFR § 1.63(a)(3).

NOTE: Inventors may execute separate declarations/oaths provided each declaration/oath sets forth all the inventors. Section 1.63(a)(3) requires that a declaration/oath, inter alia, identify each inventor and prohibits the execution of separate declarations/oaths which each sets forth only the name of the executing inventor. 62 Fed. Reg. 53,131, 53,142, October 10, 1997.

### Full name of sole or first inventor

DAVID JOHN AARONS  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_ Country of Citizenship United Kingdom

Residence Manor Farm, Home Farm Road

Post Office Address Ellingham, Bungay, Suffolk, NR35 2EL

### Full name of second joint inventor, if any

JOHN (nmi) MULLENGER  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_ Country of Citizenship United Kingdom

Residence Green Farm, Wickham Skeith

Post Office Address Suffolk, IP23 8LX

### Full name of third joint inventor, if any

\_\_\_\_\_  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_ Country of Citizenship \_\_\_\_\_

Residence \_\_\_\_\_

Post Office Address \_\_\_\_\_

(check proper box(es) for any of the following added page(s)  
that form a part of this declaration)

- Signature for fourth and subsequent joint Inventors. Number of pages added \_\_\_\_\_
- • •
- Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated Inventor. Number of pages added \_\_\_\_\_
- • •
- Signature for Inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_
- • •
- Added page for signature by one joint Inventor on behalf of deceased Inventor(s) where legal representative cannot be appointed in time. (37 CFR 1.47)
- • •
- Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.  
 Number of pages added \_\_\_\_\_
- • •
- Authorization of practitioner(s) to accept and follow instructions from representative.

(If no further pages form a part of this Declaration,  
then end this Declaration with this page and check the following item)

- This declaration ends with this page.

(Declaration and Power of Attorney [1-1]—page 7 of 7)

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 3  
REFERRED TO IN THE AFFIDAVIT OF  
LESLIE DAVID AARONS

Dated the 24<sup>th</sup> day of August 2000

Before me,

 Philip Hyde

Commissioner for Oaths/Solicitor and Notary Public

Practitioner's Docket No. P9153**PATENT**

Applicant Aarons et al.       Patentee \_\_\_\_\_

Application No. 09/423,484       Patent No. \_\_\_\_\_

Filed on 11/08/99       Issued on \_\_\_\_\_

Title: GAS DISCHARGE LAMP DRIVE CIRCUITRY

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(b))—INDEPENDENT INVENTOR**

As a below named Inventor, I hereby declare that I qualify as an independent inventor, as defined in 37 CFR 1.9(c), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office, with regard to the invention described in

- the specification filed herewith, with title as listed above.
- the application identified above.
- the patent identified above.

I have not assigned, granted, conveyed or licensed, and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person had made the invention, or to any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- No such person, concern, or organization exists.
- Each such person, concern or organization is listed below.

*\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention attesting to their status as small entities. (37 CFR 1.27)*

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL       SMALL BUSINESS CONCERN       NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL       SMALL BUSINESS CONCERN       NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL       SMALL BUSINESS CONCERN       NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

DAVID JOHN AARONS

Name of inventor

Date \_\_\_\_\_

Signature of Inventor

JOHN MULLENGER

Name of inventor

Date \_\_\_\_\_

Signature of Inventor

Name of Inventor

Date \_\_\_\_\_

Signature of Inventor

(Small Entity—Independent Inventor (7-1)—page 2 of 2)

# Suffield Electronics

Green Farm, Wickham Skeith, Eye, Suffolk, IP23 8LX

Telephone: (01449) 766397  
(01449) 766811

Hi

1 FEB 2000

Dummett Copp

Mr. R.A. McLean,  
Dummett Copp,  
25 the Square,  
Martelsham Heath,  
Ipswich,  
Suffolk, IP5 3SL

31 January 2000

Dear Mr. McLean,

Thank you for the trouble you went to by sending me a letter and talking to me on the telephone concerning the patents on the fluorescent lamps. But it is really nothing to do with me anymore. I did the research and testing years ago and have lost contact with both Les and Dave, and now have nothing to do with any form of lighting controls. I now work mainly with programmable digital electronics for industry.

I have thrown away all the paper work and agreements relating to the lamp control months ago as I thought it had all fallen through.

I am very sorry, I just cannot help you.

Yours Sincerely,

J.E. Mullenger



Dummett Copp  
PATENT & TRADE MARK ATTORNEYS

J Mullenger Esq  
Green Farm  
Wickham Skeith  
Suffolk  
IP23 8LX

24 January 2000  
Our ref: M1513/RAM

Dear Mr Mullenger

**Fluorescent Tube Ballast Patent Applications**

I understand from Les Aarons that he spoke to you on Thursday 20 January regarding the various papers that he forwarded to you for signature. Les said that it might help if we wrote to you to explain why this is necessary. The original Deed of Assignment which you signed on 3 July 1996 transferred ownership of this invention to David Aarons "throughout the world". Some countries have patent laws which require their own forms to be signed by you to confirm this. This is quite normal and this is why in the original Deed of Assignment you signed there is a statement that you agree to "execute any document, deed or other thing required to make an application for Letters Patent or other forms of industrial property rights anywhere in the world".

We are sorry to have to bother you with this additional "red tape", but if you do not sign and return the various documents to Les Aarons without delay, then this is going to involve us in a fair bit of hassle and additional expense in explaining to various foreign patent offices why we cannot file the necessary signed forms.

I must stress that you have a legal obligation to sign these forms, and Les Aarons will be contacting you again before 1 February 2000 to check if he can collect them from you.

Yours sincerely

Robert A McLean  
DUMMETT COPP  
Direct email: [rmclean@dummett.com](mailto:rmclean@dummett.com)

ejs

5 The Square, Martlesham Heath,  
Suffolk, IP5 3SL,

Telephone: 01473 660600  
Fax: 01473 660612

Email: [mail@dummett.com](mailto:mail@dummett.com)  
Internet: [www.dummett.com](http://www.dummett.com)

Peter Dummett BA, MA (Cantab), CPA, EPA, MTMA  
David C Copp BSc, CPA, EPA, MTMA  
Peter A Gemmell BSc, PhD, CPA, EPA  
Robert A McLean BSc, MSc, CPA, EPA

Elaine Lay Practice Manager  
Elaine Dawson Formals Manager  
Alison Watson Research Manager

3

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 5  
REFERRED TO IN THE AFFIDAVIT OF  
LESLIE DAVID AARONS

Dated the.....24 <sup>00</sup> day of August 2000

Before me,

 Philip Hyde

Commissioner for Oaths/Solicitor ~ Notary Public

# Suffield Electronics

Green Farm, Wickham Skeith, Eye, Suffolk, IP23 8LX

Telephone: (01449) 766397  
(01449) 766811

L. Aarons,  
Enlight Technologies Ltd.,  
Manor Farm,  
Home Farm Rd.,  
Ellingham,  
Bungay,  
Suffolk, NR35 2EL

31 January 2000

I am very sorry to have taken so long in sending this letter. I hear nothing from yourselves for more than eighteen months and then a pile of patent come from you with yellow tabs where I should sign, plus a covering letter to explain (confused).

I contacted you and Mr. McLean your agent, but I still do not really understand about signing. Is it because of patent law red tape? Being an inventor makes me a very bad lawyer. I hav'ent a clue what this legally means.

If only we had sorted this out years ago when I remembered exactly what design work I had undertaken with David and yourself and any verbal agreements we had made- I just do not remember.

I am very sorry that I cannot sign your documents. You must be able to work around it somehow. When I find them I will send them back.

Yours sincerely,



J.E. Mullenger

Director: J. Mullenger

STATEMENT OF FACTS  
IN SUPPORT OF FILING  
UNDER 37 CFR 1.47 (a)

THE PATENT ACT 1952  
37 CODE OF FEDERAL REGULATIONS Part 1

IN THE MATTER OF

United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No CT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

AFFIDAVIT OF ROBERT A. McLEAN

I, ROBERT A. McLEAN, a British Citizen, of Suffolk, United Kingdom, MAKE OATH  
AND SAY as follows:

1. I am the person to whom John Mullenger stated his express refusal to sign the application papers in connection the United States Patent application identified above.
2. I am a U.K. chartered patent attorney, and also a licensed European Patent Attorney. I am a partner in the firm of Dummett Copp, patent and trademark attorneys, having an address of 25 The Square, Martlesham Heath, Ipswich, Suffolk IP5 3SL.
3. My firm, Dummett Copp, represents David John Aarons, the co-inventor and assignee of the invention in the above identified application, and also EnLight Technologies Ltd, the company of which Mr. David Aarons is managing director. In my capacity as the patent attorney representing David John Aarons and EnLight Technologies, Ltd., I was personally involved in the preparation and filing the UK Patent application for the invention in the above-identified U.S. application and also the filing of the corresponding PCT application. David Aaron's father, Leslie Aarons, is a Director and Company Secretary of EnLight Technologies Ltd.
4. Further, I attended to the filing of national phase applications in the United States and other countries, based on the PCT application. As part of this work, I received the application papers from our U.S. associate, together with a request to have the papers signed by both co-inventors, David John Aarons and John Mullenger. I provided these materials to David Aarons and Leslie Aarons and explained why the forms needed to be signed by both co-inventors. I also asked if they could arrange to obtain John Mullenger's signature in addition to that of David Aarons.

5. Exhibit 1 now produced and shown to me is a copy of a letter Leslie Aarons, in his capacity as company secretary, mailed to John Mullenger on 10 January 2000 together with a copy of the actual U.S. application, including the specification, drawings and claims, and the application documents for signature by John Mullenger.
6. On about 21 January 2000, Leslie Aarons telephoned my office and advised me that John Mullenger was questioning whether he should sign the forms on grounds that he did not understand why his signature was needed at this stage. Leslie Aarons asked me to write an explanation of why these forms had to be completed. Exhibit 3 now produced and shown to me is a copy of a letter dated 24 January 2000, written by myself, Robert A. McLean, which explains why it is necessary for John Mullenger to sign and date the aforementioned forms.
7. On 26 January 2000, John Mullenger telephoned me at my office, and in this telephone conversation John Mullenger expressly refused to sign the aforementioned documents.
8. Exhibit 4 now produced and shown to me is a copy of a letter sent by John Mullenger to myself, in which I received at my office at Dummett Copp. The letter dated 31 January 2000, and in the letter John Mullenger explains that he will not sign the aforementioned forms. A corresponding letter having the same date was sent to Leslie Aarons. In neither letter does John Mullenger give any real reason for his refusal to sign the forms.
9. Exhibit 9 now produced and shown to me is a copy of a letter dated 1 February 2000 that I wrote to John Mullenger confirming the points made in his telephone conversation with me on 26 January 2000, and asking him to reconsider his refusal to sign the forms.
10. Exhibit 5 now produced and shown to me is a copy of a letter dated 7 February 2000 that I received, at my office from Raymond Thomas, Solicitors, of 2 Victoria Road, Diss, Norfolk, IP22 4Ey, United Kingdom, lawyers acting for John Mullenger. This letter raises various concerns concerning product liability and asks if the invention described in International Patent Application No. PCT/GB98/01155 is the same as that transferred to David Aarons in the Deed of Assignment. Exhibit 6 now produced and shown to me is a letter dated 8 February from myself to John Mullenger's lawyers, in which we assure John Mullenger that the invention described in PCT/GB98/01155 is a joint invention of John Mullenger and David John Aarons, and that we would be willing to indemnify John Mullenger for product liability if he so wishes.
11. Exhibit 7 now produced and shown to me is a copy of a letter dated 18 February 2000 that I received at my office from John Mullenger's lawyers, in which it is claimed that the deed of Assignment is invalid, and asking for ill-defined

monetary "compensation" plus his legal costs in return for John Mullenger's co-operation in completing the aforementioned forms.

12. As of the date of this statement, John Mullenger has not withdrawn the refusal to sign the papers that he made and his telephone conversation with me on 26 January 2000, neither in any communication with myself nor any communication with David John Aarons or Leslie David Aarons.

Signed at Woodbridge, Suffolk, this 29th day of January, 2000.

Robert A. McLean

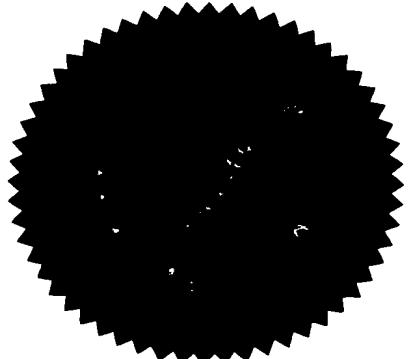
ROBERT A. McLEAN  
Patent Attorney

Sworn to and subscribed in my presence this 29th day of January, 2000.

M.J. Leach  
Notary Public in and for  
the \_\_\_\_\_  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

S.M.J. LEACH  
28 CHURCH STREET  
WOODBRIDGE, SUFFOLK

Notary Public

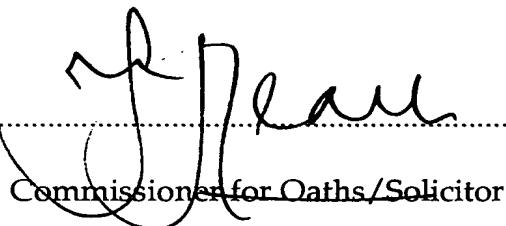


IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 1  
REFERRED TO IN THE AFFIDAVIT OF  
ROBERT ANDREAS MCLEAN

Dated the ..... 29 day of August 2000

Before me,

  
.....  
Commissioner for Oaths / Solicitor

S.M.J. LEACH  
28 CHURCH STREET  
WOODBRIDGE, SUFFOLK

Notary Public



10<sup>th</sup> January 2000

J Mullenger  
Green Farm  
Wickham Skeith  
Suffolk  
IP23 8LX

RECEIVED  
11 JAN 2000

Dummett Copp

**EnLight Technologies Limited**

Manor Farm  
Home Farm Road  
Ellingham  
Bungay  
Suffolk  
NR35 2EL  
United Kingdom

Tel: +44 (0) 1508 518112  
Fax: +44 (0) 1508 518113  
email: sales@enlight.co.uk

Copy ref file

Dear John

**Fluorescent Tube Ballast**

We are continuing to work hard on commercialising the fluorescent tube ballast invention that you contributed to as an inventor back in 1995. As you may recall, we filed first a British patent application, and then after further development of the invention by David an International patent application. The International patent application has recently been "converted" into a number of National patent applications, which we hope will ultimately lead to granted patents in Europe, the USA, Australia, Canada, China, Indonesia, Japan and Russia. Each of these regions or countries has its own particular requirements regarding inventorship or ownership of patents. For just three of these countries we need to have you sign documents which state that you are one of the inventors or to confirm that David Aarons is the applicant. They are namely the USA, Indonesia and Canada.

You will, of course, remember the Deed of Assignment document that you signed back in July 1996 (copy enclosed). Although this formalised the transfer of this invention to David, one of the standard clauses in this agreement (see the paragraph spanning pages 1 and 2) was that you should sign any documents required to vest ownership of the invention in the name of David Aarons. I am afraid that I now have to bother you to sign and date a number of these Documents!

/ cont...



London International Invention of the Year Award Winners 1997/98  
International Environmental Invention Award Gold Medal Winners  
Design Council Millennium Products Award Winners  
EDP Business Awards Winners 1998

Registered in England No. 3577921  
Registered Office: Holland Court,  
The Close, Norwich,  
Norfolk, NR1 4DY.

VAT Registration  
No. 720 1827 67

I have marked these documents with tabs and in pencil where you need to sign and date the various forms. For your convenience, I enclose a stamped addressed envelope in which you can return these to me. I am sorry to have to trouble you with this at this particular time, but trust you will find time to complete these documents and return them without delay. Thank you very much.

Wishing you and your family every good wish for the New Year

Kind regards



Les Aarons

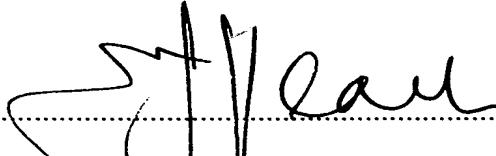
Encs: Document - USA  
Document - Indonesia  
Document - Canada  
Copy of Deed of Assignment

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 3  
REFERRED TO IN THE AFFIDAVIT OF  
ROBERT ANDREAS MCLEAN

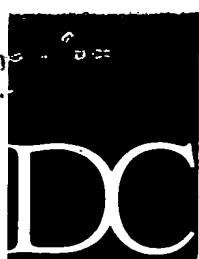
Dated the ..... 29<sup>th</sup> ..... day of August 2000

Before me,

  
.....  
Commissioner for Oaths / Solicitor

S.M.J. LEACH  
28 CHURCH STREET  
WOODBRIDGE, SUFFOLK

Notary Public



Dummett Copp  
PATENT & TRADE MARK ATTORNEYS

J Mullenger Esq  
Green Farm  
Wickham Skeith  
Suffolk  
IP23 8LX

24 January 2000  
Our ref: M1513/RAM

Dear Mr Mullenger

### Fluorescent Tube Ballast Patent Applications

I understand from Les Aarons that he spoke to you on Thursday 20 January regarding the various papers that he forwarded to you for signature. Les said that it might help if we wrote to you to explain why this is necessary. The original Deed of Assignment which you signed on 3 July 1996 transferred ownership of this invention to David Aarons "throughout the world". Some countries have patent laws which require their own forms to be signed by you to confirm this. This is quite normal and this is why in the original Deed of Assignment you signed there is a statement that you agree to "execute any document, deed or other thing required to make an application for Letters Patent or other forms of industrial property rights anywhere in the world".

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I must stress that you have a legal obligation to sign these forms, and Les Aarons will be contacting you again before 1 February 2000 to check if he can collect them from you.

Yours sincerely

Robert A McLean  
DUMMETT COPP  
Direct email: [rmclean@dummett.com](mailto:rmclean@dummett.com)

ejs

The Square, Martlesham Heath,  
Ipswich, Suffolk, IP5 3SL,

Telephone: 01473 660600  
Fax: 01473 660612

Email: [mail@dummett.com](mailto:mail@dummett.com)  
Internet: [www.dummett.com](http://www.dummett.com)

Peter Dummett BA, MA (Cantab), CPA, EPA, MTMA  
David C Copp BSc, CPA, EPA, MTMA  
Peter A Gemmell BSc, PhD, CPA, EPA  
Robert A McLean BSc, MSc, CPA, EPA

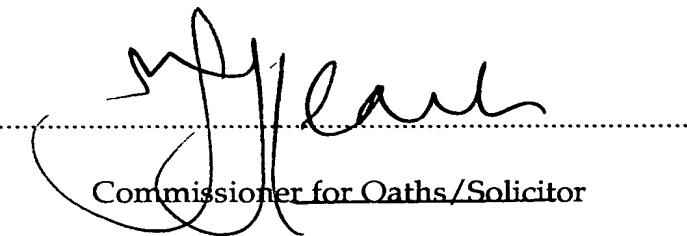
Elaine Lay Practice Manager  
Elaine Dawson Formalities Manager  
Allison Watson Renewals Manager

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 4  
REFERRED TO IN THE AFFIDAVIT OF  
ROBERT ANDREAS MCLEAN

Dated the ..... 29<sup>th</sup> ..... day of August 2000

Before me,



.....  
Commissioner for Oaths/Solicitor

S.M.J. LEACH  
28 CHURCH STREET  
WOODBRIDGE, SUFFOLK

Notary Public

# Suffield Electronics

**Green Farm, Wickham Skeith, Eye, Suffolk, IP23 8LX**

**Telephone:** (01449) 766397  
(01449) 766811

Mr. R.A. McLean,  
Dummett Copp,  
25 the Square,  
Martlesham Heath,  
Ipswich,  
Suffolk, IP5 3SL

31 January 2000

Dear Mr. McLean,

Thank you for the trouble you went to by sending me a letter and talking to me on the telephone concerning the patents on the fluorescent lamps. But it is really nothing to do with me anymore. I did the research and testing years ago and have lost contact with both Les and Dave, and now have nothing to do with any form of lighting controls. I now work mainly with programmable digital electronics for industry.

I have thrown away all the paper work and agreements relating to the lamp control months ago as I thought it had all fallen through.

I am very sorry, I just cannot help you.

**Yours Sincerely,**

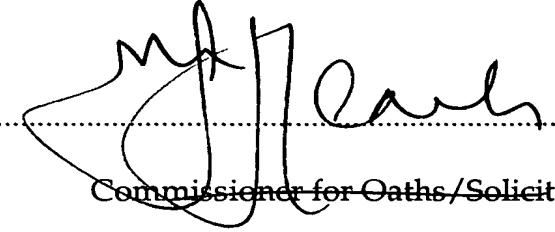
J.E. Mullenger

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 5  
REFERRED TO IN THE AFFIDAVIT OF  
ROBERT ANDREAS MCLEAN

Dated the ..... 29<sup>th</sup> ..... day of August 2000

Before me,

  
Commissioner for Oaths / Solicitor

S.M.J. LEACH  
28 CHURCH STREET  
WOODBRIDGE, SUFFOLK

Notary Public

2 Victoria Road  
Diss  
Norfolk IP22 4EY

Our Ref:

Your Ref: ERT.JP.

Date: M1513.RAM

7<sup>th</sup> February 2000

RECEIVED

- 8 FEB 2000

Dummett Copp

Dummett Copp  
25 The Square  
Martlesham Heath  
Ipswich  
Suffolk IP5 3SL

Raymond  
Thompson

Solicitors

Tel: (01379) 641221

Fax: (01379) 641227

Dx: 42521 Diss

Dear Sirs

**Fluorescent Tube Ballast Patent Applications  
WITHOUT PREJUDICE**

We are instructed by our client Mr John Mullenger, who has passed to us the correspondence which you have had with him.

It would seem that there has been a lack of understanding between your point of view and that of our client and we are writing to try to clarify the position in an effort to find a solution to this problem.

The Deed of Assignment to which you refer was passed to our client for signature by your clients in 1996 and referred exclusively to an invention relating to a fluorescent light dimmer. Whilst there must be some doubt as to the validity of this Deed of Assignment in that our client had no opportunity to seek independent legal advice on its effect our client, without prejudice, is not proposing to dispute the same at the present time and would not have considered so doing.

However, our client is concerned that the document which was sent to him for signature relates to a gas discharge lamp drive circuitry. This invention is not the invention which was referred to in the Deed of Assignment. Our client is, therefore, concerned as to the following:-

1. He may incur some responsibility for product liability in relation to this invention and
2. that it may be misleading to claim as his an invention which was not created by him. It is understood that the gas discharge lamp drive circuitry relates to sodium lighting and not fluorescent lighting.

Our client in no way wishes to be obstructive or to act in breach of the terms of the Deed of Assignment, whether or not the same is enforceable but does not believe that the paperwork which has been requested relates to the invention which he created.

Email: Raymond.Thompson@raymondthompson.co.uk

Incorporating Robert Manning Solicitor

Partners: Raymond Thompson Amanda Barlow

Non Practising Consultant: Robert Manning

This firm is regulated by the Law Society in the conduct of investment business.

Also at PO Box 7, Diss, Norfolk IP22 3QJ. Telephone/Facsimile: (01379) 678130  
And at 66 Mount Street, Diss, Norfolk IP22 4QQ Tel: (01379) 652266 Fax: (01379) 651066

If a specification for that invention can be provided, our client would be able to assess whether or not the same was an invention to which the Deed of Assignment related or not. We shall, therefore, be grateful if you will supply us with a copy of that specification.

Yours faithfully



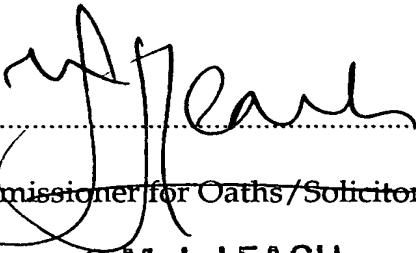
**RAYMOND THOMPSON**

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 6  
REFERRED TO IN THE AFFIDAVIT OF  
ROBERT ANDREAS MCLEAN

Dated the.....29th.....day of August 2000

Before me,

  
.....  
Commissioner for Oaths/Solicitor

S.M.J. LEACH  
28 CHURCH STREET  
WOODBRIDGE, SUFFOLK

Notary Public



Dummett Copp  
PATENT & TRADE MARK ATTORNEYS



The Square, Martlesham Heath,  
Ipswich, Suffolk, IP5 3SL,

Telephone: 01473 660600  
Fax: 01473 660612

Email: mail@dummett.com  
Internet: www.dummett.com

Raymond Thompson  
Solicitors  
2 Victoria Road  
Diss  
Norfolk  
IP22 4EY

Peter Dummett BA, MA (Cantab), CPA, EPA, MTTMA  
David C Copp BSc, CPA, EPA, MTTMA  
Peter A Gemmell BSc, PhD, CPA, EPA  
Robert A McLean BSc, MSc, CPA, EPA

Elaine Lay Practice Manager  
Elaine Dawson Formalities Manager  
Allison Watson Renewals Manager

8 February 2000  
Your ref: ERT.JP  
Our ref: M1513/RAM

Dear Sirs

#### Fluorescent Tube Ballast Patent Applications

Thank you for your letter of 7 February 2000. We enclose for your client Mr John Mullenger a copy of our client's International patent application No. PCT/GB98/01155. As you will see from the front page of this patent application, Mr Mullenger is listed as a co-inventor with David Aarons. The original work on this invention was done by Mr Mullenger and later refinements and modifications were made by David Aarons. We assure you that Mr Mullenger is properly listed as an inventor for this patent application. Certainly, it would not be in our client's interest to list Mr Mullenger as an inventor if this were not the case.

You mention in your letter that the title of this patent application, "Gas Discharge Lamp Drive Circuitry" is different from the title "Fluorescent Light Dimmer" used in the Deed of Assignment. The title of a patent application is, of course, one of the least important parts of the specification. The scope of a patent application is determined by the claims as interpreted by the disclosure in the description and drawings. When we were drafting this patent application with David Aarons, we realised that the generalised inventive concept, as set out in claim 1, is not necessarily limited to a fluorescent lamp (which is, after all, just one type of gas discharge lamp), but would be applicable to other types of gas discharge lamps. You will see that claim 1 claims "An electronic circuit for controlling a gas discharge lamp.....".

It seems that Mr Mullenger may be labouring under a misapprehension regarding sodium lighting. A sodium lamp is a gas discharge lamp which generates visible light. A fluorescent lamp is a gas discharge lamp that produces ultraviolet light.

Ultraviolet light is invisible and therefore the interior of the glass envelope in a fluorescent lamp is coated with phosphorescent chemicals which absorb the ultraviolet light created by the gas discharge and emit visible light. The essence of the invention is a particular circuit for controlling electric current through a gas discharge lamp. The presence or absence of phosphorescent chemicals as used in a fluorescent lamp is inconsequential.

Your client will no doubt see that there is much in the patent application which is new to him. This is the contribution made to the invention by David Aarons. The original circuitry developed by Mr Mullenger falls squarely within the scope of claim 1 however, and this is why Mr Mullenger is properly listed as an inventor for this patent application.

Our clients are unaware of anything which Mr Mullenger did under his contract with our clients which could possibly be negligent and lead to a claim against Mr Mullenger. The original invention has been extensively developed and re-engineered to make it suitable for mass production. We find it very difficult to imagine how anything Mr Mullenger might have done could have resulted in a defect in the fully engineered product. Nevertheless, if you wish, our clients would be more than happy to sign an agreement indemnifying Mr Mullenger against any and all claims resulting from any negligence on his part. We look forward to receiving such an agreement from you if you would like our clients to sign this.

Yours faithfully

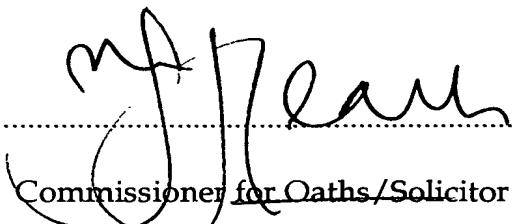
DUMMETT COPP

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 7  
REFERRED TO IN THE AFFIDAVIT OF  
ROBERT ANDREAS MCLEAN

Dated the ..... 29<sup>th</sup> ..... day of August 2000

Before me,

  
.....  
Commissioner for Oaths /Solicitor

S.M.J. LEACH  
28 CHURCH STREET  
WOODBRIDGE, SUFFOLK

Notary Public

2 Victoria Road  
Diss  
Norfolk IP22 4EY

Our Ref:

Your Ref: ERT.JP.Mullenger

Date: M1513.RAM

18<sup>th</sup> February 2000

RECEIVED

25 FEB 2000

Dummett Copp

Dummett Copp  
25 The Square  
Martlesham Heath  
Ipswich  
Suffolk IP5 3SL

Dear Sirs

**Fluorescent Tube Ballast Patent Applications  
WITHOUT PREJUDICE**

Further to our letter to you of 18<sup>th</sup> February, we have now had an opportunity to discuss this further with our client.

We are firmly of the opinion that the original Deed of Assignment, completed in 1996, is invalid on the grounds that our client never had the opportunity to obtain independent legal advice as to its meaning or to the consequences of signing such a document. We also understand that our client was put under considerable pressure to sign the original Deed and various inducements for him to do so were offered by your clients.

Our client is concerned, as previously mentioned against any potential third party liability and will require a Deed of Indemnity from your clients against any and all claims resulting in any negligence on his part in the future.

Our client does not appreciate the pressure that he is currently under and feels that he is entitled to some compensation for assisting your client in these circumstances and for a relinquishment of his rights in the product.

In addition, our client has, quite properly, felt it necessary to seek our advice in the matter and has, consequently, incurred costs. If we can receive your confirmation that a suitable indemnity will be provided and that our reasonable costs will be met together with your proposals for some form of compensation to our client, our client will be happy to sign the forms for signature for the National Phase Filing in the United States of America. Our client has no wish to cause any delay in that process save to ensure that his position is not prejudiced in any action that he takes at the present time.

Yours faithfully

**RAYMOND THOMPSON** Email: [Raymond.Thompson@raymondthompson.co.uk](mailto:Raymond.Thompson@raymondthompson.co.uk)

**Incorporating Robert Manning Solicitor**

*Partners:* Raymond Thompson Amanda Barlow

*Non Practising Consultant:* Robert Manning

This firm is regulated by the Law Society in the conduct of investment business.  
Also at PO Box 7, Diss, Norfolk IP22 3QJ. Telephone/Facsimile: (01379) 678130  
And at 66 Mount Street, Diss, Norfolk IP22 4QQ Tel: (01379) 652266 Fax: (01379) 651066

Raymond  
Thompson

Solicitors

Tel: (01379) 641221

Fax: (01379) 641227

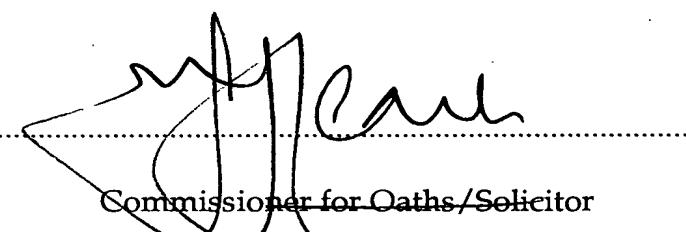
Dx: 42521 Diss

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 9  
REFERRED TO IN THE AFFIDAVIT OF  
ROBERT ANDREAS MCLEAN

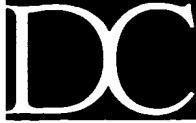
Dated the 29<sup>th</sup> day of August 2000

Before me,



~~Commissioner for Oaths / Solicitor~~  
**S.M.J. LEACH**  
28 CHURCH STREET  
WOODBRIDGE, SUFFOLK

Notary Public



Dummett Copp  
PATENT & TRADE MARK ATTORNEYS

J Mullenger Esq  
Green Farm  
Wickham Skeith  
Suffolk  
IP23 8LX

The Square, Martlesham Heath,  
Ipswich, Suffolk, IP5 3SL,

Telephone: 01473 660600  
Fax: 01473 660612

Email: mail@dummett.com  
Internet: www.dummett.com

Peter Dummett BA, MA (Cantab), CPA, EPA, MIMIA  
David C Copp BSc, CPA, EPA, MIMIA  
Peter A Gemmell BSc, PhD, CPA, EPA  
Robert A McLean BSc, MSc, CPA, EPA

Elaine Lay Practice Manager  
Elaine Dawson Formalities Manager  
Alison Watson Renewals Manager

1 February 2000  
Our ref: M1513/RAM

RECORDED DELIVERY

Dear Mr Mullenger

**Fluorescent Tube Ballast Patent Applications**

I write in response to our telephone conversation on 26 January 2000 and also your letter to us of 31 January 2000. When we spoke by telephone, you made it clear to me that you were irritated that you had been approached with paperwork to sign. You also were annoyed that we had pointed out to you the clause in the patent Deed of Assignment which obliges you to sign any further paperwork necessary for our clients Les and David Aarons to obtain patent protection around the world. I assured you that we would not need to bother you repeatedly for signatures, and that we had referred to the Deed for your convenience, and to explain that this type of co-operation is customary. You, however, said that you were not prepared to sign any of the paperwork sent to you.

In the letter we have received, you simply say that you cannot help us, and again give no real reasons for your lack of co-operation.

Our clients are now incurring additional expenses with ourselves, and foreign patent agents in the United States, Canada and Indonesia. We are doing what we can to get around the fact that we cannot file the customary forms signed by yourself in each of these countries. It is possible, however, that we might lose one of these patent applications, in which case the expense to our clients could be substantial, for example the equivalent of up to 17 years worth of royalties from third parties. I am sure that you will agree that this product has considerable commercial potential. The loss could therefore be huge.

We have advised our clients that they would have a claim against you personally for any loss which they may suffer as a result of your refusal to honour your

J Mullenger Esq  
1 February 2000  
Page 2

commitments made in the Deed if Assignment. I therefore respectfully urge you to reconsider your decision, and to complete and return the various documents to our clients without delay. Thank you very much.

Yours sincerely

Robert A McLean  
DUMMETT COPP  
Direct email: [rmclean@dummett.com](mailto:rmclean@dummett.com)

ejs

**THE PATENT ACT 1952**  
**37 CODE of FEDERAL REGULATIONS Part 1**

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

**AFFIDAVIT OF DAVID JOHN AARONS**

I, DAVID JOHN AARONS, a British Citizen, of Manor Farm, Home Farm Road, Ellingham, Bungay, Suffolk, NR35 2EL, United Kingdom, MAKE OATH AND SAY as follows:

1. I am the managing director of Select Software Limited, a Company incorporated under the laws of England and Wales and Registered under No. 2822889 of Manor Farm, Home Farm Road, Ellingham, Bungay, Suffolk, NR35 2EL, United Kingdom (hereinafter "the First Company"). I have held this position since June 1993. I am also the Managing Director of EnLight Technologies Limited, a Company incorporated under the laws of England and Wales and Registered under No. 3577921, of Manor Farm, Home Farm Road, Ellingham, Bungay, Suffolk, NR35 2EL, United Kingdom (hereinafter "the Second Company"). I have held this position since 4 September 1998. My total experience in the field in which the Second Company operates and does business is 5 years. I have full access to the records of the First Company and the Second Company, and am authorised by the First Company and the Second Company to make this affidavit on each of their behalves. The information given in this, my affidavit, comes from my own knowledge and from the aforesaid records of the First Company and the Second Company, and I believe it to be true.
  
2. My father, Leslie David Aarons, is a Director and Company Secretary of both the First Company and the Second Company.

3. The First Company funded the initial research and development of an invention (hereinafter "the Invention") described in British Patent Application No GB 9709075.7 filed 7 May 1997, and in International Patent Application No PCT/GB98/01155 filed 7 May 1998 claiming priority from GB 9709075.7 relating to electronic circuitry for running a gas discharge lamp. I am one of the inventors of the Invention. The Second Company was formed to exploit the Invention, and took over funding of the development of the Invention in September 1998.
4. Between February 1996 and June 1996, the First Company paid a consultant, John Mullenger, to assist in the development of an electronic circuit for controlling and dimming fluorescent lamps (the Product). John Mullenger and I together invented a prototype of an electronic circuit for the Product, and which formed the basis for the Invention. Further development work on the Product was carried out by myself in late 1996, 1997 and early 1998, which further refined and improved the electronic circuit invented jointly by John Mullenger and myself, and which showed that the circuit was capable of dimmably controlling a range of gas discharge lamps.
5. Exhibit 1 now produced and shown to me is a copy an Agreement (the Agreement) dated 11 February 1996 between John Mullenger and Select Software Limited, which set the terms for the work to be done by John Mullenger to develop the Product, and by which John Mullenger agreed that he would assign various rights to the First Company.
6. Exhibit 2 now produced and shown to me is a notarized copy of a Deed of Assignment dated 3 July 1996 by which John Mullenger and the First Company assigned all rights in the Invention throughout the world to me. When this Deed of Assignment was to be executed, Leslie Aarons and I together gave this Deed personally to John Mullenger, and left it with him so that he could consider the Deed of Assignment, and sign it in his own time. On 3 July 1996, Leslie Aarons and I went to John Mullenger and collected from him the Deed of Assignment which John Mullenger had by then signed. In the Deed of Assignment, John

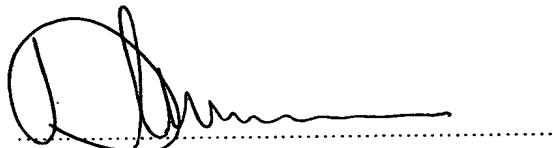
Mullenger undertakes to "execute any document deed or other thing required to vest the aforementioned rights in the name of David John Aarons or his nominee AND undertake to execute any document, deed or other thing required to make an application for Letters Patent or other forms of industrial property rights anywhere in the world for the aforementioned invention in the sole name of David John Aarons or his nominee".

7. International Patent Application No PCT/GB98/01155 led to a number of National Phase patent applications, including applications in the United States, Canada and Indonesia. The Patent Offices of each of these countries require that application documents be signed by all inventors. Exhibit 3 now produced and shown to me is a copy of a letter that Leslie Aarons, in his capacity as Company Secretary, mailed to John Mullenger on 10 January 2000 together with the documents listed as enclosed for signature by John Mullenger. Exhibit 4 and Exhibit 5 now produced and shown to me are, respectively, copies of a Combined Declaration and Power of Attorney, and a Verified Statement Claiming Small Entity Status, both of which were enclosed with the aforementioned letter of 10 January 2000 for signature and dating by John Mullenger.
8. On 20 January 2000, Leslie Aarons, in his capacity as Company Secretary, telephoned John Mullenger from the offices of the Second Company to ask if he had completed the aforementioned forms. John Mullenger told Leslie Aarons that he had not, because he did not understand why his signature was needed at this stage. Leslie Aarons suggested to John Mullenger that the Patent Attorney acting for me write with an explanation of why these forms had to be completed.
9. Exhibit 6 now produced and shown to me is a copy of a letter to John Mullenger dated 24 January 2000, written by my Patent Attorney, Robert A. McLean, a UK Chartered Patent Attorney, of Dummett Copp, 25 The Square, Martlesham Heath, Ipswich IP5 3SL, Suffolk, United Kingdom, which explains why it is necessary for John Mullenger to sign and date the aforementioned forms.
9. On 26 January 2000, John Mullenger telephoned Robert McLean at the offices of Dummett Copp, and in this telephone conversation John Mullenger refused to

sign the aforementioned documents.

10. Exhibit 7 and Exhibit 8 now produced and shown to me are, respectively, copies of letters sent by John Mullenger to Leslie Aarons, and to Robert McLean. Each of these letters is dated 31 January 2000, and in each of these letters John Mullenger confirms that he will not sign the aforementioned forms. In neither letter does John Mullenger give any real reason for his refusal to sign the aforementioned forms.
11. Exhibit 9 now produced and shown to me is a copy of a letter dated 1 February 2000 that Robert McLean wrote to John Mullenger confirming the points made in his telephone conversation with John Mullenger on 26 January 2000, and asking him to reconsider his refusal to sign the forms.
12. Exhibit 10 now produced and shown to me is a copy of a letter dated 7 February 2000 sent to my Patent Attorneys, Dummett Copp, from Raymond Thomas, Solicitors of 2 Victoria Road, Diss, Norfolk, IP22 4EY, United Kingdom, lawyers acting for John Mullenger. This letter raises various concerns concerning product liability and asks if the invention described in International Patent Application No PCT/ GB98/01155 is the same as that transferred to David Aarons in the Deed of Assignment. Exhibit 11 now produced and shown to me is a letter dated 8 February from Robert McLean to John Mullenger's lawyers, in which we assure John Mullenger that the invention described in PCT/GB98/01155 is a joint invention of John Mullenger and David John Aarons, and that we would be willing to indemnify John Mullenger for product liability if he so wishes.
13. Exhibit 12 now produced and shown to me is a copy of a letter dated 18 February 2000 to my Patent Attorneys, Dummett Copp from John Mullenger's lawyers, in which it is claimed that the Deed of Assignment is invalid, and asking for ill-defined monetary "compensation" plus his legal costs in return for John Mullenger's co-operation in completing the aforementioned forms.

SWORN AT Stedje & Co Solicitors IN THE COUNTY OF NORFOLK,  
UNITED KINGDOM, THIS 30<sup>th</sup> DAY OF APRIL 2000



David John Aarons

BEFORE ME, A PRACTISING COMMISSIONER FOR OATHS/SOLICITOR



SHERIDAN PIGGOTT

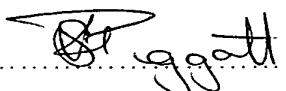
FULL NAME:

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 1  
REFERRED TO IN THE AFFIDAVIT OF  
DAVID JOHN AARONS

Dated the ..... 3rd ..... day of April 2000

Before me,



Commissioner for Oaths/ Solicitor

To Select Software Ltd  
Manor Farm  
Home Farm Road  
Ellingham Bungay  
Suffolk NR35 2EL

From J Mullenger T/A Suffield Electronics  
Green Farm  
Wickham Skeith  
Suffolk  
3rd January 1996

**Fluorescent Lamp Dimmer**

An Agreement between John Mullenger currently trading as Suffield Electronics at Green Farm, Wickham Skeith, Suffolk and Select Software Ltd. Manor Farm, Home Farm Road, Ellingham, Suffolk, NR35 2EL. I John Mullenger will give full agreement to the following with regard to the product known as a Fluorescent Lamp Dimmer i.e. to abide by the following terms and conditions:

- 1 With the development and completion of the product known as a Fluorescent Lamp Dimmer J Mullenger agrees to relinquish all rights of design, manufacture and marketing and that they shall pass solely to Select Software Ltd. J Mullenger also agrees to pass to Select Software Ltd the complete set of circuit diagrams and all information relating to the product.
- 2 Select Software Ltd will have sole marketing, development and manufacturing rights.
- 3 Select Software Ltd will pay J Mullenger the sum of £1,000.00 as a one off and only payment for covering the rights to the product which includes payment for the development and material costs.
- 4 Select Software agrees that J Mullenger can sell the Fluorescent Lamp Dimmer to specified markets acting as an agent for Select Software Ltd. J Mullenger to purchase the product from Select Software Ltd at a unit price to be agreed.
- 5 J Mullenger agrees not to pass on to any third party any proprietary information or documentation whatsoever concerning the product. To keep all documents, information and diagrams of the product confidential.
- 6 Not to use, reproduce, transform or store any information in an externally accessible computer or electronic information retrieval system. Not to transmit it in any form outside my usual or any other place of business or any other location.
- 7 J Mullenger agrees to continue the good working relationship with Select Software Ltd. in the development of this and other products with the on-going pooling of knowledge between the two parties.

Signed.....*J. Mullenger*..... Date.....*1/2/96*.....  
John Mullenger trading as Suffield Electronics

Signed.....*D. Aarons*..... Date.....*1/2/96*.....  
David Aarons for and on behalf of Select Software Ltd.

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 2  
REFERRED TO IN THE AFFIDAVIT OF  
DAVID JOHN AARONS

Dated the ..... 3rd ..... day of April 2000

Before me,

  
T.P. Riggott

Commissioner for Oaths/ Solicitor

## **NOTARIAL CERTIFICATE**

I, **PHILIP HYDE**, of the City of Norwich, Notary Public duly admitted and sworn practising in the said City,

### **DO HEREBY CERTIFY AND ATTEST:**

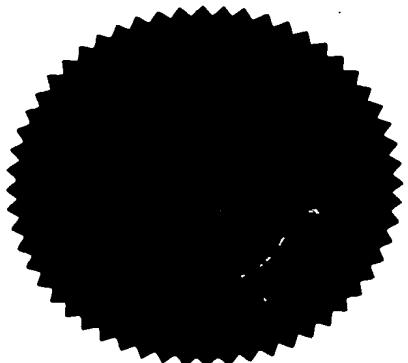
**THAT** the Appearers David John Aarons identified by British Passport No: 031494974 and Leslie David Aarons identified by British Passport No: 031495881 acknowledged to me that the original document of which a copy is annexed was executed by the parties to it and witnessed by the said Leslie David Aarons in accordance with the full solemnities and requirements of English Law.

**THAT** I have examined the original document produced to me and that the copy annexed hereto and bearing my initials and Seal is a true and faithful copy of the said original.

**THEREFORE FULL FAITH** should be given to such copy document in Judicature and thereout.

**IN TESTIMONY WHEREOF** I have hereunto set my hand and affixed my Seal of Office in the City of Norwich aforesaid, this 9th day of February Two Thousand.

  
Philip Hyde  
Notary Public



IN THE MATTER OF an application for a  
Patent in the United Kingdom in the  
name of David John Aarons

**DEED OF ASSIGNMENT**

WHEREAS the undersigned Inventor,

John Mullenger, trading as Suffield Electronics of Green Farm, Wickham Skeith,  
Suffolk

has contributed to an invention relating to a Fluorescent Light Dimmer during the course of working as a Consultant for Select Software Limited, of Manor Farm, Home Farm Road, Ellingham Bungay, Suffolk, NR35 2EL (hereinafter called Select Software), under circumstances in which Select Software claims ownership of the invention, as detailed in an Agreement (hereinafter called the Agreement) dated 11 February 1996.

AND WHEREAS David John Aarons, of Manor Farm, Home Farm Road, Ellingham Bungay, Suffolk, NR35 2EL, desires to acquire all right title and interest in and to the said invention.

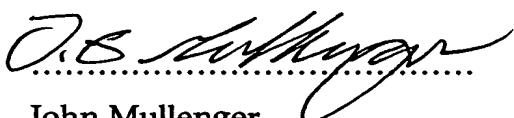
NOW BY THIS ASSIGNMENT the Inventor and Select Software in consideration of the sum of ten pounds sterling paid to each of them by David John Aarons the receipt whereof is hereby acknowledged hereby assign to David John Aarons their entire right title and interest in and to the aforementioned invention throughout the world TOGETHER with the right to apply for Letters Patent or other forms of industrial property rights relating thereto in the name of David John Aarons or his nominee AND the Inventors and Select Software hereby undertake to execute any document deed or other thing required to vest the aforementioned rights in the sole name of David John Aarons or his nominee AND undertake to execute any

document, deed or other thing required to make an application for Letters Patent or other forms of industrial property rights anywhere in the world for the aforementioned invention in the sole name of David John Aarons or his nominee.

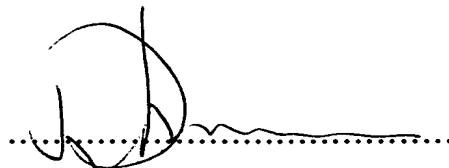
This assignment shall be construed in accordance with and governed by English law and the English courts shall have jurisdiction over any disputes thereunder.

It is hereby certified that the transaction hereby effected does not form part of a larger transaction or a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds £60,000 (sixty thousand pounds sterling).

Dated this 5<sup>th</sup> day of July 1996



John Mullenger



David John Aarons

For and on behalf of Select Software Ltd.

The above assignment and the rights conferred thereby are hereby accepted



David John Aarons

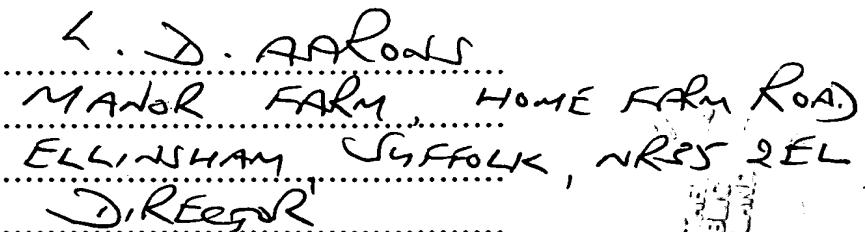


In the presence of:

Witness name:

Address:

Occupation:



L. J. AARONS  
 MANOR FARM, HOME FARM ROAD  
 ELLINGHAM, SUFFOLK, NR15 2EL  
 D. REED



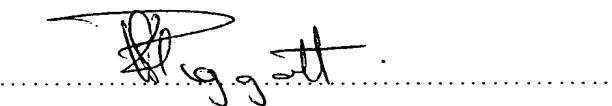
		<p style="text-align: right;">S201510B***</p> <p><b>Holder's signature/Signature du titulaire (12)</b></p> <p>(Handwritten signature over the box)</p>	
<p><b>United Kingdom of Great Britain and Northern Ireland</b></p> <p><b>Passport</b></p>			
<p><b>DAVID JOHN</b>  <b>AARONS</b>  <i>(Other Name/Prénom)</i>  <b>BRITISH CITIZEN</b>  <i>(Domicile/Residence)</i></p>		<p><b>P</b>  <i>(Sexe)</i>  <b>GBR</b>  <i>(Nationality)</i></p>	
<p><b>26 MAY / MAI 68</b>  <i>(Date of Birth/Date de naissance)</i></p>		<p><b>0</b>  <i>(Age/Âge)</i></p>	
<p><b>COLCHESTER</b>  <i>(Place of Birth/Lieu de naissance)</i></p>		<p><b>031494974</b>  <i>(Other Name/Prénom)</i></p>	
<p><b>29 APR / AVR 98</b>  <i>(Date of Issue/Date d'octroi)</i></p>		<p><b>PASSPORT AGENCY</b>  <i>(Issuing Authority)</i></p>	
<p><b>Emergency contacts</b>  <i>(Name/Prénom), Address (Rue/Numéro), Telephone (Téléphone) (01 55 80 51 66)</i></p> <p><b>Emergency contacts</b>  <i>(Name/Prénom), Address (Rue/Numéro), Telephone (Téléphone) (01 55 80 51 66)</i></p>			
<p><b>The holder should insert his/her particulars of two relatives or friends who may be contacted in the event of accident.</b></p> <p><b>(Any friend or relative who may be made available to help the holder should give over this space.)</b></p>			
<p><b>Holder's signature/Signature du titulaire (32)</b></p> <p><b>Passer à l'autre face</b></p>			

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 3  
REFERRED TO IN THE AFFIDAVIT OF  
DAVID JOHN AARONS

Dated the ..... 3rd ..... day of April 2000

Before me,



Commissioner for Oaths/ Solicitor



10<sup>th</sup> January 2000

J Mullenger  
Green Farm  
Wickham Skeith  
Suffolk  
IP23 8LX

RECEIVED  
11 JAN 2000

Durmett Copp

**EnLight Technologies Limited**

Manor Farm  
Home Farm Road  
Ellingham  
Bungay  
Suffolk  
NR35 2EL  
United Kingdom

Tel: +44 (0) 1508 518112  
Fax: +44 (0) 1508 518113  
email: sales@enlight.co.uk

Copy ref file

Dear John

**Fluorescent Tube Ballast**

We are continuing to work hard on commercialising the fluorescent tube ballast invention that you contributed to as an inventor back in 1995. As you may recall, we filed first a British patent application, and then after further development of the invention by David an International patent application. The International patent application has recently been "converted" into a number of National patent applications, which we hope will ultimately lead to granted patents in Europe, the USA, Australia, Canada, China, Indonesia, Japan and Russia. Each of these regions or countries has its own particular requirements regarding inventorship or ownership of patents. For just three of these countries we need to have you sign documents which state that you are one of the inventors or to confirm that David Aarons is the applicant. They are namely the USA, Indonesia and Canada.

You will, of course, remember the Deed of Assignment document that you signed back in July 1996 (copy enclosed). Although this formalised the transfer of this invention to David, one of the standard clauses in this agreement (see the paragraph spanning pages 1 and 2) was that you should sign any documents required to vest ownership of the invention in the name of David Aarons. I am afraid that I now have to bother you to sign and date a number of these Documents!

/ cont...



London International Invention of the Year Award Winners 1997/98  
International Environmental Invention Award Gold Medal Winners  
Design Council Millennium Products Award Winners  
EDP Business Awards Winners 1998

Registered in England No. 3577921  
Registered Office: Holland Court,  
The Close, Norwich,  
Norfolk, NR1 4DY.

VAT Registration  
No. 720 1827 67

I have marked these documents with tabs and in pencil where you need to sign and date the various forms. For your convenience, I enclose a stamped addressed envelope in which you can return these to me. I am sorry to have to trouble you with this at this particular time, but trust you will find time to complete these documents and return them without delay. Thank you very much.

Wishing you and your family every good wish for the New Year

Kind regards



Les Aarons

Encs: Document - USA  
Document - Indonesia  
Document - Canada  
Copy of Deed of Assignment

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 4  
REFERRED TO IN THE AFFIDAVIT OF  
DAVID JOHN AARONS

Dated the ..... 3rd ..... day of April 2000

Before me,



.....  
H. Eggett .....

Commissioner for Oaths/ Solicitor

**COMBINED DECLARATION AND POWER OF ATTORNEY**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)

As a below named Inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

(check one applicable item below)

- original.
- design.
- supplemental.

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application, do not check next item; check appropriate one of last three items.

- national stage of PCT.

NOTE: If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR C-I-P.

NOTE: See 37 C.F.R. § 1.63(d) (continued prosecution application) for use of a prior nonprovisional application disclosure in the continuation or divisional application being filed on behalf of the same or fewer of the inventors named in the prior application.

- divisional.
- continuation.

NOTE: Where an application discloses and claims subject matter not disclosed in the prior application, or a continuation or divisional application names an inventor not named in the prior application, a continuation-in-part application must be filed under 37 C.F.R. § 1.53(b) (application filing requirements — nonprovisional application).

- continuation-in-part (C-I-P).

**INVENTORSHIP IDENTIFICATION**

WARNING: If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**GAS DISCHARGE LAMP DRIVE CIRCUITRY

## SPECIFICATION IDENTIFICATION

the specification of which:

(complete (a), (b), or (c))

- (a)  is attached hereto.

NOTE: "The following combinations of information supplied in an oath or declaration filed on the application filing date with a specification are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 CFR 1.63:

"(1) name of inventor(s), and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration on filing;

"(2) name of inventor(s), and attorney docket number which was on the specification as filed; or

"(3) name of inventor(s), and title which was on the specification as filed."

Notice of July 13, 1995 (1177 O.G. 60).

- (b)  was filed on May 7, 1997, as  Serial No. 0 G.B. 79709075.7 or  \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO that contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

NOTE: "The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 CFR 1.63:

"(1) name of inventor(s), and application number (consisting of the series code and the serial number, e.g., 08/123,456);

"(2) name of inventor(s), serial number and filing date;

"(3) name of inventor(s) and attorney docket number which was on the specification as filed;

"(4) name of inventor(s), title which was on the specification as filed and filing date;

"(5) name of inventor(s), title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or

"(6) name of inventor(s), title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration."

Notice of July 13, 1995 (1177 O.G. 60), M.P.E.P. § 601.01(a), 6th ed., rev. 3.

- (c)  was described and claimed in PCT International Application No. PCT/GB98/01155, filed on May 7, 1998 and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

**SUPPLEMENTAL DECLARATION (37 C.F.R. § 1.67(b))**

(complete the following where a supplemental declaration is being submitted)

- I hereby declare that the subject matter of the  
 attached amendment  
 amendment filed on \_\_\_\_\_

was part of my/our invention and was invented before the filing date of the original application, above-identified, for such invention.

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56.

(also check the following items, if desired)

- and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and  
 In compliance with this duty, there is attached an information disclosure statement, in accordance with 37 CFR 1.98.

**PRIORITY CLAIM (35 U.S.C. §§ 119(a)–(d))**

**NOTE:** "The claim to priority need be in no special form and may be made by the attorney or agent if the foreign application is referred to in the oath or declaration as required by § 1.63. The claim for priority and the certified copy of the foreign application specified in 35 U.S.C. 119(b) must be filed in the case of an interference (§ 1.630), when necessary to overcome the date of a reference relied upon by the examiner, when specifically required by the examiner, and in all other situations, before the patent is granted. If the claim for priority or the certified copy of the foreign application is filed after the date the issue fee is paid, it must be accompanied by a petition requesting entry and by the fee set forth in § 1.17(i). If the certified copy is not in the English language, a translation need not be filed except in the case of interference; or when necessary to overcome the date of a reference relied upon by the examiner, or when specifically required by the examiner, in which event an English language translation must be filed together with a statement that the translation of the certified copy is accurate." 37 C.F.R. § 1.55(d).

I hereby claim foreign priority benefits under Title 35, United States Code, §§ 119(a)–(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d)  no such applications have been filed.  
(e)  such applications have been filed as follows.

**NOTE:** When item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (a), enter the details below and make the priority claim.

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION  
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)**

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
PCT	PCT/GB98/01155	May 7/98	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)  
(34 U.S.C. § 119(e))**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER

FILING DATE

\_\_\_\_\_ / \_\_\_\_\_  
 \_\_\_\_\_ / \_\_\_\_\_  
 \_\_\_\_\_ / \_\_\_\_\_

**CLAIM FOR BENEFIT OF EARLIER US/PCT APPLICATION(S)  
UNDER 35 U.S.C. 120**

- The claim for the benefit of any such applications are set forth in the attached ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN PART (C-I-P) APPLICATION.

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

---

---

**NOTE:** If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. § 120.

**POWER OF ATTORNEY**

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

*(list name and registration number)*

TODD N. HATHAWAY, Reg. No. 32,991

*(check the following item, if applicable)*

- I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.
- Attached, as part of this declaration and power of attorney, is the authorization of the above-named practitioner(s) to accept and follow instructions from my representative(s).

**SEND CORRESPONDENCE TO**

**DIRECT TELEPHONE CALLS TO:**  
*(Name and telephone number)*

**Address**

TODD N. HATHAWAY  
119 N. Commercial St. #620  
Bellingham, WA 98226-4437

TODD N. HATHAWAY  
360-647-1976

**Customer Number** \_\_\_\_\_

## DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### SIGNATURE(S)

**NOTE:** Carefully indicate the family (or last) name, as it should appear on the filing receipt and all other documents.

**NOTE:** Each inventor must be identified by full name, including the family name, and at least one given name without abbreviation together with any other given name or initial, and by his/her residence, post office address and country of citizenship. 37 CFR § 1.63(w)(3).

**NOTE:** Inventors may execute separate declarations/oaths provided each declaration/oath sets forth all the inventors. Section 1.63(w)(3) requires that a declaration/oath, inter alia, identify each inventor and prohibits the execution of separate declarations/oaths which each sets forth only the name of the executing inventor. 62 Fed. Reg. 53,131, 53,142, October 10, 1997.

**Full name of sole or first Inventor**

DAVID JOHN AARONS  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_ Country of Citizenship United Kingdom

Residence Manor Farm, Home Farm Road

Post Office Address Ellingham, Bungay, Suffolk, NR35 2EL

**Full name of second joint Inventor, if any**

JOHN (nmi) MULLENGER  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_ Country of Citizenship United Kingdom

Residence Green Farm, Wickham Skeith

Post Office Address Suffolk, IP23 BLX

**Full name of third joint Inventor, if any**

(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_ Country of Citizenship \_\_\_\_\_

Residence \_\_\_\_\_

Post Office Address \_\_\_\_\_

(check proper box(es) for any of the following added page(s)  
that form a part of this declaration)

- Signature for fourth and subsequent joint inventors. Number of pages added \_\_\_\_\_
- Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added \_\_\_\_\_
- Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_
- Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 CFR 1.47) \_\_\_\_\_
- Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.  
 Number of pages added \_\_\_\_\_
- Authorization of practitioner(s) to accept and follow instructions from representative.

(if no further pages form a part of this Declaration,  
then end this Declaration with this page and check the following item)

- This declaration ends with this page.

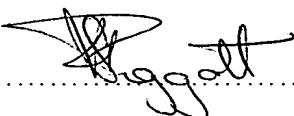
(Declaration and Power of Attorney [1-1]—page 7 of 7)

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 5  
REFERRED TO IN THE AFFIDAVIT OF  
DAVID JOHN AARONS

Dated the ..... 3rd ..... day of April 2000

Before me,

  
.....  
W. Haggatt

Commissioner for Oaths/ Solicitor

Practitioner's Docket No. P9153**PATENT**

Applicant Aarons et al.       Patentee \_\_\_\_\_

Application No. 09/423,484       Patent No. \_\_\_\_\_

Filed on 11/08/99       Issued on \_\_\_\_\_

Title: GAS DISCHARGE LAMP DRIVE CIRCUITRY

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(b))—INDEPENDENT INVENTOR**

As a below named Inventor, I hereby declare that I qualify as an independent inventor, as defined in 37 CFR 1.9(c), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office, with regard to the Invention described in

- the specification filed herewith, with title as listed above.
- the application identified above.
- the patent identified above.

I have not assigned, granted, conveyed or licensed, and am under no obligation under contract or law to assign, grant, convey or license, any rights in the Invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person had made the invention, or to any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the Invention is listed below:

- No such person, concern, or organization exists.
- Each such person, concern or organization is listed below. \*

*\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the Invention according to their status as small entities. (37 CFR 1.27)*

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL       SMALL BUSINESS CONCERN       NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL       SMALL BUSINESS CONCERN       NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL       SMALL BUSINESS CONCERN       NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

DAVID JOHN AARONS  
Name of inventor

Date \_\_\_\_\_

Signature of Inventor

JOHN MULLENGER  
Name of inventor

Date \_\_\_\_\_

Signature of Inventor

Name of Inventor

Date \_\_\_\_\_

Signature of Inventor

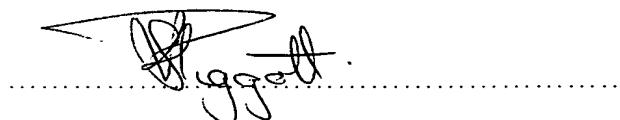
(Small Entity—Independent Inventor (7-1)—page 2 of 2)

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 6  
REFERRED TO IN THE AFFIDAVIT OF  
DAVID JOHN AARONS

Dated the ..... 3rd ..... day of April 2000

Before me,



Commissioner for Oaths/ Solicitor



**Dummett Copp**  
PATENT & TRADE MARK ATTORNEYS

J Mullenger Esq  
Green Farm  
Wickham Skeith  
Suffolk  
IP23 8LX

24 January 2000  
Our ref: M1513/RAM

Dear Mr Mullenger

**Fluorescent Tube Ballast Patent Applications**

I understand from Les Aarons that he spoke to you on Thursday 20 January regarding the various papers that he forwarded to you for signature. Les said that it might help if we wrote to you to explain why this is necessary. The original Deed of Assignment which you signed on 3 July 1996 transferred ownership of this invention to David Aarons "throughout the world". Some countries have patent laws which require their own forms to be signed by you to confirm this. This is quite normal and this is why in the original Deed of Assignment you signed there is a statement that you agree to "execute any document, deed or other thing required to make an application for Letters Patent or other forms of industrial property rights anywhere in the world".

We are sorry to have to bother you with this additional "red tape", but if you do not sign and return the various documents to Les Aarons without delay, then this is going to involve us in a fair bit of hassle and additional expense in explaining to various foreign patent offices why we cannot file the necessary signed forms.

I must stress that you have a legal obligation to sign these forms, and Les Aarons will be contacting you again before 1 February 2000 to check if he can collect them from you.

Yours sincerely

Robert A McLean  
**DUMMETT COPP**  
Direct email: [rmclean@dummett.com](mailto:rmclean@dummett.com)

ejs

2 One Square, Martlesham Heath,  
Ipswich, Suffolk, IP5 3SL,

Telephone: 01473 660600  
Fax: 01473 660612

Email: [mail@dummett.com](mailto:mail@dummett.com)  
Internet: [www.dummett.com](http://www.dummett.com)

Peter Dummett BA, MA (Cantab), CPA, EPA, MTMA  
David C Copp BSc, CPA, EPA, MTMA  
Peter A Gemmill BSc, PhD, CPA, EPA  
Robert A McLean BSc, MSc, CPA, EPA

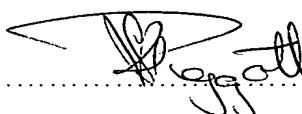
Elaine Lay Practice Manager  
Elaine Dawson Formalities Manager  
Allison Watson Renewals Manager

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 7  
REFERRED TO IN THE AFFIDAVIT OF  
DAVID JOHN AARONS

Dated the ..... 3<sup>rd</sup> ..... day of April 2000

Before me,

  
.....  
H. Gogoll .....

Commissioner for Oaths/ Solicitor

# Suffield Electronics

Green Farm, Wickham Skeith, Eye, Suffolk, IP23 8LX

Telephone: (01449) 766397  
(01449) 766811

L. Aarons,  
Enlight Technologies Ltd.,  
Manor Farm,  
Home Farm Rd.,  
Ellingham,  
Bungay,  
Suffolk, NR35 2EL

31 January 2000

I am very sorry to have taken so long in sending this letter. I hear nothing from yourselves for more than eighteen months and then a pile of patent come from you with yellow tabs where I should sign, plus a covering letter to explain (confused).

I contacted you and Mr. McLean your agent, but I still do not really understand about signing. Is it because of patent law red tape? Being an inventor makes me a very bad lawyer. I hav'ent a clue what this legally means.

If only we had sorted this out years ago when I remembered exactly what design work I had undertaken with David and yourself and any verbal agreements we had made- I just do not remember.

I am very sorry that I cannot sign your documents. You must be able to work around it somehow. When I find them I will send them back.

Yours sincerely,



J.E. Mullenger

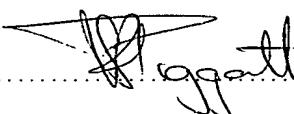
Director: J. Mullenger

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 8  
REFERRED TO IN THE AFFIDAVIT OF  
DAVID JOHN AARONS

Dated the ..... 3rd ..... day of April 2000

Before me,

  
.....  
J. F. Eggart .....

Commissioner for Oaths/ Solicitor

# Suffield Electronics

Green Farm, Wickham Skeith, Eye, Suffolk, IP23 8LX

Telephone: (01449) 766397  
(01449) 766811

[REDACTED]

- 1 FEB 2000

Dummett Copp

Mr. R.A. McLean,  
Dummett Copp,  
25 the Square,  
Martelsham Heath,  
Ipswich,  
Suffolk, IP5 3SL

31 January 2000

Dear Mr. McLean,

Thank you for the trouble you went to by sending me a letter and talking to me on the telephone concerning the patents on the florescent lamps. But it is really nothing to do with me anymore. I did the research and testing years ago and have lost contact with both Les and Dave, and now have nothing to do with any form of lighting controls. I now work mainly with programmable digital electronics for industry.

I have thrown away all the paper work and agreements relating to the lamp control months ago as I thought it had all fallen through.

I am very sorry, I just cannot help you.

Yours Sincerely,

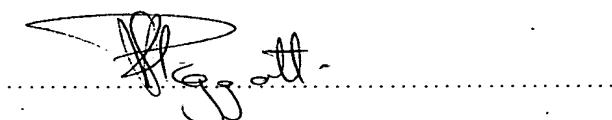
J.E. Mullenger

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 9  
REFERRED TO IN THE AFFIDAVIT OF  
DAVID JOHN AARONS

Dated the ..... 3rd ..... day of April 2000

Before me,



Commissioner for Oaths/ Solicitor



# Dummett Copp

PATENT & TRADE MARK ATTORNEYS

J Mullenger Esq  
Green Farm  
Wickham Skeith  
Suffolk  
IP23 8LX

The Square, Martlesham Heath,  
Ipswich, Suffolk, IP5 3SL,

Telephone: 01473 660600  
Fax: 01473 660612

Email: mail@dummett.com  
Internet: www.dummett.com

Peter Dummett BA, MA (Cantab), CPA, EPA, MITMA  
David C Copp BSc, CPA, EPA, MITMA  
Peter A Gemmell BSc, PhD, CPA, EPA  
Robert A McLean BSc, MSc, CPA, EPA

Elaine Lay Practice Manager  
Elaine Dawson Formalities Manager  
Allison Watson Renewals Manager

1 February 2000  
Our ref: M1513/RAM

**RECORDED DELIVERY**

Dear Mr Mullenger

### **Fluorescent Tube Ballast Patent Applications**

I write in response to our telephone conversation on 26 January 2000 and also your letter to us of 31 January 2000. When we spoke by telephone, you made it clear to me that you were irritated that you had been approached with paperwork to sign. You also were annoyed that we had pointed out to you the clause in the patent Deed of Assignment which obliges you to sign any further paperwork necessary for our clients Les and David Aarons to obtain patent protection around the world. I assured you that we would not need to bother you repeatedly for signatures, and that we had referred to the Deed for your convenience, and to explain that this type of co-operation is customary. You, however, said that you were not prepared to sign any of the paperwork sent to you.

In the letter we have received, you simply say that you cannot help us, and again give no real reasons for your lack of co-operation.

Our clients are now incurring additional expenses with ourselves, and foreign patent agents in the United States, Canada and Indonesia. We are doing what we can to get around the fact that we cannot file the customary forms signed by yourself in each of these countries. It is possible, however, that we might lose one of these patent applications, in which case the expense to our clients could be substantial, for example the equivalent of up to 17 years worth of royalties from third parties. I am sure that you will agree that this product has considerable commercial potential. The loss could therefore be huge.

We have advised our clients that they would have a claim against you personally for any loss which they may suffer as a result of your refusal to honour your

J Mullenger Esq  
1 February 2000  
Page 2

commitments made in the Deed if Assignment. I therefore respectfully urge you to reconsider your decision, and to complete and return the various documents to our clients without delay. Thank you very much.

Yours sincerely

Robert A McLean  
DUMMETT COPP  
Direct email: [rmclean@dummett.com](mailto:rmclean@dummett.com)

ejs

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 10  
REFERRED TO IN THE AFFIDAVIT OF  
DAVID JOHN AARONS

Dated the ..... 3rd ..... day of April 2000

Before me,



.....  
H. R. Gejel .....

Commissioner for Oaths/ Solicitor

2 Victoria Road  
DISS  
Norfolk IP22 4EY

Our Ref:

Your Ref: ERT.JP.

Date: M1513.RAM

7<sup>th</sup> February 2000

**RECEIVED**  
- 8 FEB 2000  
**Dummett Copp**

Dummett Copp  
25 The Square  
Martlesham Heath  
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Raymond  
Thompson

Solicitors

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Dear Sirs

**Fluorescent Tube Ballast Patent Applications  
WITHOUT PREJUDICE**

We are instructed by our client Mr John Mullenger, who has passed to us the correspondence which you have had with him.

It would seem that there has been a lack of understanding between your point of view and that of our client and we are writing to try to clarify the position in an effort to find a solution to this problem.

The Deed of Assignment to which you refer was passed to our client for signature by your clients in 1996 and referred exclusively to an invention relating to a fluorescent light dimmer. Whilst there must be some doubt as to the validity of this Deed of Assignment in that our client had no opportunity to seek independent legal advice on its effect our client, without prejudice, is not proposing to dispute the same at the present time and would not have considered so doing.

However, our client is concerned that the document which was sent to him for signature relates to a gas discharge lamp drive circuitry. This invention is not the invention which was referred to in the Deed of Assignment. Our client is, therefore, concerned as to the following:-

1. He may incur some responsibility for product liability in relation to this invention and
2. that it may be misleading to claim as his an invention which was not created by him. It is understood that the gas discharge lamp drive circuitry relates to sodium lighting and not fluorescent lighting.

Our client in no way wishes to be obstructive or to act in breach of the terms of the Deed of Assignment, whether or not the same is enforceable but does not believe that the paperwork which has been requested relates to the invention which he created.

Email: Raymond.Thompson@raymondthompson.co.uk

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*Non Practising Consultant:* Robert Manning

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If a specification for that invention can be provided, our client would be able to assess whether or not the same was an invention to which the Deed of Assignment related or not. We shall, therefore, be grateful if you will supply us with a copy of that specification.

Yours faithfully



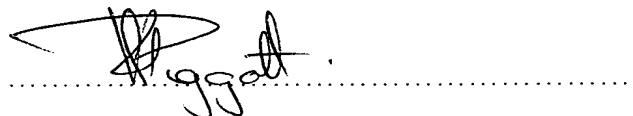
**RAYMOND THOMPSON**

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 11  
REFERRED TO IN THE AFFIDAVIT OF  
DAVID JOHN AARONS

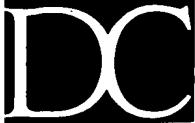
Dated the 3rd day of April 2000

Before me,



.....  
W. H. Gagel .....

~~Commissioner for Oaths/~~ Solicitor



Dummett Copp  
PATENT & TRADE MARK ATTORNEYS

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Robert A McLean BSc, MSc, CPA, EPA

Elaine Lay Practice Manager  
Elaine Dawson Formalities Manager  
Allison Watson Renewals Manager

8 February 2000  
Your ref: ERT.JP  
Our ref: M1513/RAM

Dear Sirs.

#### Fluorescent Tube Ballast Patent Applications

Thank you for your letter of 7 February 2000. We enclose for your client Mr John Mullenger a copy of our client's International patent application No. PCT/GB98/01155. As you will see from the front page of this patent application, Mr Mullenger is listed as a co-inventor with David Aarons. The original work on this invention was done by Mr Mullenger and later refinements and modifications were made by David Aarons. We assure you that Mr Mullenger is properly listed as an inventor for this patent application. Certainly, it would not be in our client's interest to list Mr Mullenger as an inventor if this were not the case.

You mention in your letter that the title of this patent application, "Gas Discharge Lamp Drive Circuitry" is different from the title "Fluorescent Light Dimmer" used in the Deed of Assignment. The title of a patent application is, of course, one of the least important parts of the specification. The scope of a patent application is determined by the claims as interpreted by the disclosure in the description and drawings. When we were drafting this patent application with David Aarons, we realised that the generalised inventive concept, as set out in claim 1, is not necessarily limited to a fluorescent lamp (which is, after all, just one type of gas discharge lamp), but would be applicable to other types of gas discharge lamps. You will see that claim 1 claims "An electronic circuit for controlling a gas discharge lamp.....".

It seems that Mr Mullenger may be labouring under a misapprehension regarding sodium lighting. A sodium lamp is a gas discharge lamp which generates visible light. A fluorescent lamp is a gas discharge lamp that produces ultraviolet light.

Ultraviolet light is invisible and therefore the interior of the glass envelope in a fluorescent lamp is coated with phosphorescent chemicals which absorb the ultraviolet light created by the gas discharge and emit visible light. The essence of the invention is a particular circuit for controlling electric current through a gas discharge lamp. The presence or absence of phosphorescent chemicals as used in a fluorescent lamp is inconsequential.

Your client will no doubt see that there is much in the patent application which is new to him. This is the contribution made to the invention by David Aarons. The original circuitry developed by Mr Mullenger falls squarely within the scope of claim 1 however, and this is why Mr Mullenger is properly listed as an inventor for this patent application.

Our clients are unaware of anything which Mr Mullenger did under his contract with our clients which could possibly be negligent and lead to a claim against Mr Mullenger. The original invention has been extensively developed and re-engineered to make it suitable for mass production. We find it very difficult to imagine how anything Mr Mullenger might have done could have resulted in a defect in the fully engineered product. Nevertheless, if you wish, our clients would be more than happy to sign an agreement indemnifying Mr Mullenger against any and all claims resulting from any negligence on his part. We look forward to receiving such an agreement from you if you would like our clients to sign this.

Yours faithfully

DUMMETT COPP

IN THE MATTER OF  
United States Patent Application Serial No. 09/423,484  
National Phase of International Patent Application No PCT/GB98/01155  
Inventors: David John Aarons and John Mullenger  
Assignee: David John Aarons

THIS IS EXHIBIT 12  
REFERRED TO IN THE AFFIDAVIT OF  
DAVID JOHN AARONS

Dated the 3rd day of April 2000

Before me,



Commissioner for Oaths/ Solicitor

2 Victoria Road  
Diss  
Norfolk IP22 4EY

Our Ref:

Your Ref: ERT.JP.Mullenger

Date: M1513.RAM

18<sup>th</sup> February 2000

RECEIVED

25 FEB 2000

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25 The Square  
Martlesham Heath  
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Suffolk IP5 3SL

Dear Sirs

**Fluorescent Tube Ballast Patent Applications  
WITHOUT PREJUDICE**

Further to our letter to you of 18<sup>th</sup> February, we have now had an opportunity to discuss this further with our client.

We are firmly of the opinion that the original Deed of Assignment, completed in 1996, is invalid on the grounds that our client never had the opportunity to obtain independent legal advice as to its meaning or to the consequences of signing such a document. We also understand that our client was put under considerable pressure to sign the original Deed and various inducements for him to do so were offered by your clients.

Our client is concerned, as previously mentioned against any potential third party liability and will require a Deed of Indemnity from your clients against any and all claims resulting in any negligence on his part in the future.

Our client does not appreciate the pressure that he is currently under and feels that he is entitled to some compensation for assisting your client in these circumstances and for a relinquishment of his rights in the product.

In addition, our client has, quite properly, felt it necessary to seek our advice in the matter and has, consequently, incurred costs. If we can receive your confirmation that a suitable indemnity will be provided and that our reasonable costs will be met together with your proposals for some form of compensation to our client, our client will be happy to sign the forms for signature for the National Phase Filing in the United States of America. Our client has no wish to cause any delay in that process save to ensure that his position is not prejudiced in any action that he takes at the present time.

Yours faithfully

**RAYMOND THOMPSON** Email: [Raymond.Thompson@raymondthompson.co.uk](mailto:Raymond.Thompson@raymondthompson.co.uk)

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